

Pam Bassel
Chapter 13 Standing Trustee
7001 Blvd 26, Ste 150
North Richland Hills, TX 76180
Telephone: (817) 916-4710
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE: HAROLD LAYNE CURTS

Case No: 18-41189-RFN

Prehearing Date: November 30, 2018

Debtor

NOTICE OF PRE-HEARING CONFERENCE AND HEARING ON
"TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS AND PLAN MODIFICATION (IF REQUIRED)"

TO ALL PARTIES IN INTEREST:

A Pre-Hearing Conference with the Chapter 13 Trustee concerning the attached Trustee's Recommendation Concerning Claims and Plan Modification (If Required)("TRCC") will be held at **8:30 AM** on **November 30, 2018** at **7001 Blvd 26, Suite 150, North Richland Hills, TX 76180**.

If any objections to the TRCC are not resolved or defaulted at the Pre-Hearing Conference then this matter will be called at the docket call to be held at **8:30 AM** on **December 06, 2018** at U.S. Courthouse, 10th and Lamar Streets, Room 204, Fort Worth, TX, with the hearing on the matter immediately following the conclusion of docket call.

Pursuant to the Standing Order Concerning All Chapter 13 Cases ("General Order"), unless an objection is timely filed as to the treatment of any claim or to the plan modification, if any, the claim will be treated as described in the TRCC and the modification (if any) will be approved and such treatment and/or plan modification will be final and binding on all parties, unless Section 502(j) of the Bankruptcy Code applies.

TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, FILED WITH THE COURT, AND A COPY SERVED ON THE FOLLOWING PARTIES NO LATER THAN NOVEMBER 23, 2018.

DEBTOR: HAROLD LAYNE CURTS, 7214 Dover Ln, Richland Hills, TX 76118
DEBTOR'S ATTORNEY: ALLMAND LAW FIRM, 860 AIRPORT FWY SUITE 401, HURST, TX 76054
COURT: CLERK'S OFFICE, US BANKRUPTCY COURT, 128 U.S. COURTHOUSE, 10TH & LAMAR ST, FT. WORTH, TX 76102
TRUSTEE: TRUSTEE'S OFFICE, 7001 Blvd 26, Ste 150, North Richland Hills, TX 76180

/s/ Pam Bassel

Pam Bassel, Trustee/State Bar # 01344800

CASE NO: 18-41189-RFN
HAROLD LAYNE CURTS

Trustee's Recommendation Concerning Claims and Plan Modification (if required)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the "Notice of Pre-Hearing Conference and Hearing on Trustee's Recommendation Concerning Claims and Plan Modification (If Required)" along with a copy of the "Trustee's Recommendation Concerning Claims and Plan Modification (If Required)" was served on the following parties at the address listed below by the United States First Class Mail or via electronic mail.

/s/ Pam Bassel

DEBTOR: HAROLD LAYNE CURTS, 7214 Dover Ln, Richland Hills, TX 76118

ATTORNEY: ALLMAND LAW FIRM, 860 AIRPORT FWY SUITE 401, HURST, TX 76054

CREDITORS:

Attorney General of Texas, Bankruptcy Collection Division, PO Box 12017, Austin, TX 78711-0000

ATTORNEY GENERAL OF TEXAS, COLLECTIONS DIV/BANKRUPTCY SEC, PO BOX 12548, AUSTIN, TX 78711

BARRETT DAFFIN FRAPPIER TURNER & ENGEL LLP, 4004 BELT LINE RD STE 100, ADDISON, TX 75001-0000

Credit Systems International, 1277 Country Club Lane, Ft. Worth, TX 76112-0000

INTERNAL REVENUE SERVICE, PO BOX 7346, PHILADELPHIA, PA 19101

LINEBARGER GOGGAN BLAIR AND SAMPSON, 2777 N STEMMONS FWY STE 1000, DALLAS, TX 75207-0000

Paramount Recovery Systems, 7524 Bosque Blvd Suite L, Waco, TX 76712-0000

PERDUE BRACKETT FLORES UTT & BURNS, JV, C/O PBFC&M, LLP, 500 E BORDER ST STE 640, ARLINGTON, TX 76010-0000

RON WRIGHT, TARRANT COUNTY TAX COLLECTOR, 100 E WEATHERFORD STREET, FORT WORTH, TX 76196

RUSHMORE LOAN MANAGEMENT, PO BOX 52708, IRVINE, CA 92619-0000

RUSHMORE LOAN MANAGEMENT SERVICES, PO BOX 55004, IRVINE, CA 92619

RUSHMORE LOAN MGMT SER, PO BOX 814529, Dallas, TX 75381

TARRANT COUNTY TAX COLLECTOR, DELINQUENT TAX DEPARTMENT, 2777 N STEMMONS FREEWAY STE 1000, DALLAS, TX 75207-0000

Texas Alcoholic Beverage Comm, Licences and Permits Division, P.O. Box 13127, Austin, TX 78711

TEXAS COMPTROLLER PUBLIC ACCTS, REVENUE ACCOUNTING DIV/BANKRUP, PO BOX 13528, AUSTIN, TX 78711

TEXAS WORKFORCE COMMISSION, TAX DEPT COLLECTION FKA TEC, 101 E 15TH ST, RM 556-A, AUSTIN, TX 78778-0000

Trina Elizabeth Curts, 7214 Dover Lane, Fort Worth, TX 76118-0000

TXU ENERGY, 200 W JOHN CARPENTER FWY, IRVING, TX 75039-0000

United States Attorney - NORTH, 3rd Floor, 1100 Commerce St., Dallas, TX 75242-0000

***Address on record invalid for recipient -- no document mailed to this party.

Date: October 1, 2018

By: /s/ Pam Bassel

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HAROLD LAYNE CURTS
Trustee's Recommendation Concerning Claims and Plan Modification (if required)

Pam Bassel
Chapter 13 Standing Trustee
7001 Blvd 26, Ste 150
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
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IN RE: HAROLD LAYNE CURTS

Case No: 18-41189-RFN

Debtor

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS AND
PLAN MODIFICATION (IF REQUIRED)**

NOTICE

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT U.S. COURTHOUSE, 10TH & LAMAR ST., ROOM 147, FORT WORTH, TEXAS, 76102, BEFORE CLOSE OF BUSINESS ON NOVEMBER 23, 2018, WHICH IS AT LEAST 30 DAYS FROM THE DATE OF SERVICE HEREOF.

PRIOR TO THE DATE AND TIME SET FORTH ABOVE, ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON:

DEBTOR: HAROLD LAYNE CURTS, 7214 Dover Ln, Richland Hills, TX 76118
DEBTOR'S ATTORNEY: ALLMAND LAW FIRM, 860 AIRPORT FWY SUITE 401, HURST, TX 76054
TRUSTEE: TRUSTEE'S OFFICE, 7001 Blvd 26, Ste 150, North Richland Hills, TX 76180

IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO RESPONSE IS FILED AND/OR NO HEARING IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED UPOPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN. FILING A WRITTEN RESPONSE SHALL BE CONSIDERED A REQUEST FOR HEARING.

RELIEF REQUESTED

The Trustee files the following Recommendation Concerning Claims and Plan Modification (If Required) and would show the Court the following:

I.

TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS NOT FILED

The following creditors were scheduled by the Debtor. No Proof of Claim has been filed by them or on their behalf as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. **Therefore, these creditors will not receive disbursements from the Trustee:**

<u>TRUSTEE #</u>	<u>CREDITOR'S NAME</u>	<u>SCHED CLASS</u>	<u>SCHED AMOUNT</u>
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Trustee's Recommendation Concerning Claims and Plan Modification (if required)

(cont'd.)

<u>T'EE #</u>	<u>CREDITOR'S NAME</u>	<u>SCHED CLASS</u>	<u>SCHED AMOUNT</u>
7	CREDIT SYSTEMS INTERNATIONAL	UNSECURED	\$120.00
8	PARAMOUNT RECOVERY SYSTEMS	UNSECURED	\$298.00
4	RON WRIGHT, TARRANT COUNTY TAX COLLECTOR	TAXES/SECURED	\$3,881.91
5	RON WRIGHT, TARRANT COUNTY TAX COLLECTOR	TAXES/SECURED	\$1,411.91
9	TXU ENERGY	UNSECURED	\$174.00

II.

TRUSTEE'S RECOMMENDATIONS CONCERNING FILED CLAIMS

UNLESS AN OBJECTION IS TIMELY FILED AS TO THE AMOUNT OR CLASSIFICATION OF ANY CLAIM LISTED BELOW, THAT CLAIM WILL BE PAID AS DESCRIBED HEREIN AND SUCH AMOUNT AND CLASSIFICATION WILL BE FINAL AND BINDING ON ALL PARTIES WITHOUT FURTHER ORDER OF THE COURT. (NOTE: Value of collateral, treatment under the Plan and interest rate were determined at Confirmation. "Interest Rate" and "Treatment" are shown below for information only.)

<u>CLAIM#</u>	<u>CURRENT MORTGAGE PAYMENTS</u>	<u>COLLATERAL</u>	<u>CLAIM</u>	<u>INTEREST RATE</u>	<u>TREATMENT</u>
2	RUSHMORE LOAN MANAGEMENT	HOMESTEAD ONGOING			06/01/18 - \$1,027.63 09/01/18 - \$1,067.86 11/01/18 - \$1,174.27

<u>CLAIM#</u>	<u>SECURED CREDITORS</u>	<u>COLLATERAL</u>	<u>CLAIM</u>	<u>INTEREST RATE</u>	<u>TREATMENT</u>
2	RUSHMORE LOAN MANAGEMENT	HOMESTEAD ARREARS	\$25,466.84	0.00%	PRO RATA-TR
2	RUSHMORE LOAN MANAGEMENT	HOMESTEAD GAP/4/18-5/18	\$2,348.54	0.00%	PRO RATA-TR
1	TARRANT COUNTY TAX COLLECTOR	HOMESTEAD/18	\$4,644.45		DIRECT-DR
2	RUSHMORE LOAN MANAGEMENT	HOMESTEAD POST ARREARS/6/18-10/18	\$652.74	0.00%	PRO RATA-TR

III.

PLAN MODIFICATION**Excess Base Amount**

Pursuant to the Order Confirming Chapter 13 Plan previously entered in this case and any subsequent orders modifying the Chapter 13 Plan after confirmation, to the extent the Base Amount exceeds the amount needed to pay all allowed Secured, Priority, and Administrative Claims, unless otherwise provided by a Debtor Modification or order of the Court, such excess shall be paid pro-rata, after payment of the Trustee's fee, to timely filed, allowed, non-penalty, general unsecured claims up to 100%, then to late filed, allowed, non-penalty, unsecured claims up to 100%, then to penalty unsecured claims up to 100%, with any remaining balance refunded to the Debtor. The Unsecured Creditors' Pool will be adjusted accordingly.

Modification Details

The following changes will be made to Debtor Payments, Plan Base and/or Plan Term for the reason(s) specified below:

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\$1,665.00 X 6; \$1,876.00 X 54 FOR A BASE AMOUNT OF \$111,294.00 IN 60 MONTHS.

Reason(s) for Modification:

To make the plan sufficient.

To provide for the Full Ongoing monthly payment of \$1174.27 to Rushmore starting in November 2018 and to provide for post arrears from June 2018 thru October 2018. To provide for the full amount of the arrears claim filed by Rushmore.

Respectfully submitted,
Office of the Chapter 13 Trustee, Fort Worth

/s/ Pam Bassel

Pam Bassel, Trustee
State Bar # 01344800

Dated: October 1, 2018